F-080

CERTIFICATE OF TRANSMISSION UNDER 37 CFR 1.8

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office, Office of Patent Publication Image Assistance Center, at Fax No. 703.308.5065 on

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ue Bromaghim

December 2, 2005

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**CUSTOMER NO. 36257** 

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:

Wayne CHEN et al.

Title:

System and Methods for Classifying Anomalies of Sample Surfaces

Application No.:

10/613,634

Filing Date:

July 3, 2003

Examiner:

Michael P. STAFIRA

Group Art Unit:

2877

Docket No.:

TNCR.178US1

Conf. No.:

4612

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

### PETITION RE WRONGFUL HOLDING OF ABANDONMENT

Sir:

This Petition is submitted as a result of a Notice of Abandonment dated November 29, 2005. The Notice states that the issue and publication fee was not timely paid, and also states that the submitted fee of \$0 is insufficient.

Attached is the undersigned's PART B – FEE(S) TRANSMITTAL, in duplicate, as originally transmitted by fax to the USPTO on October 12, 2005. Also attached is the PTO AUTO-REPLY FACSIMILE TRANSMISSION, showing the 2 pages duly received on that date. This documentation shows authorization to charge the undersigned's Deposit Account No. 502664 in the requisite amounts (\$1400 issue fee / \$300 publication fee / \$6 advance order – 2 copies of the issued patent).

Attorney Docket No.: TNCR.178US1

Application No.: 10/613,634

The undersigned requests that the holding of abandonment be withdrawn and that the application proceed to issue. If a telephone call to the undersigned at 415.318.1162 would facilitate matters, it would be greatly appreciated.

No fee is believed due. However, in the interest of caution, please charge any fees required to Deposit Account No. 50-2664. This authorization is provided in duplicate.

Respectfully submitted,

James S. Hsue

Reg. No. 29,545

<u>December 2, 2005</u>

Date

PARSONS HSUE & de RUNTZ LLP

595 Market Street, Suite 1900 San Francisco, California 94105

Telephone: 415.318.1160 (main)

Telephone. 415.318.1162 (direct)

Fax: 415.693.0194

#### CERTIFICATE OF TRANSMISSION UNDER 37 CFR 1.8

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Attorney Docket No.: TNCR.178US1 Application No.: 10/613,634 595 Market Street, Suite 1900 San Francisco, CA 94105 tel 415.318.1160 fax 415.693.0194

Date To December 2, 2005 Ms. Blanche May

Office of Patent Publication Image Assistance Center

United States Patent and Trademark Office

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From

James S. Hsue, Esq.

Total pages

8 (including this cover page)

Subject

Wrongful Holding of Abandonment

Your Ref.

Appln. No. 10/613,634

Our Ref.

TNCR.178US1

#### Dear Ms. May:

I am submitting this Petition and associated documentation in response to your telephone call today with my secretary, Sue Bromaghim.

Please advise me if anything further needs to be done to expedite the handling of this matter.

Thank you.

Respectfully,

James Hsue

Registration No. 29,545

UBLISHING DIVISION

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Telephone. 415.318.1162 (direct)

Fax: 415.693.0194

Attorney Docket No.: TNCR.178US1

Application No.: 10/613,634

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Complete and send t	his form, together wi	Commissioner 10 P.O. Box 1450 Alexandria, Virg	or Patents DUF	LICATE			
or Fax (571) 273-2885  INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed wh appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address indicated unless corrected below or directed otherwise in Block I, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" maintenance fee notifications.							
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PARSONS HSUE & DE RUNTZ LLP 655 MONTGOMERY STREET SUITE 1800 SAN FRANCISCO, CA 94111				Certificate of Mailing or Transmission  I hereby certify that this Fee(s) Transmittal is being deposited with the Un States Postal Service with sufficient postage for first class mail in an envel addressed to the Mail Stop ISSUE FEB address above, or being facsim transmitted to the USPTO (571) 273-2885, on the date indicated below.			
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				October /1	2, 2005	(D	
APPLICATION NO.	FILING DATE		FIRST NAMED	INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
10/613,634	07/03/2003		Wayne	Chen	TNCR.178USI	4612	
TITLE OF INVENTION: SYSTEM AND METHODS FOR CLASSIFYING ANOMALIES OF SAMPLE SURFACES							
APPLN, TYPE	SMALL ENTITY	ISSUE FI		PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE	
nonprovisional	NO	\$1400		\$300	\$1700	10/13/2005	
EXAM	MINER	ART UN	NIT CLASS-SUBCLASS		ļ		
STAFIRA, MICI	HAEL PATRICK	2877		356-392000			
Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).      Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.      "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.			(1) the names of up to 3 registered patent attorneys or agents OR, alternatively,  (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to				
3. ASSIGNEE NAME AND	RESIDENCE DATA TO B	E PRINTED ON T	THE PATENT	(print or type)		-	
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(A) NAME OF ASSIGNEE (B) RESIDENCE: (CITY and STATE OR COUNTRY)							
KLA-TENCOR CORPORATION SAN JOSE, CALIFORNIA							
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4a. The following fee(s) are enclosed: 4b. Payment of Fee(s):							
Issue Fee A check in the amount of the fee(s) is enclosed.  A check in the amount of the fee(s) is enclosed.  Payment by credit card. Form PTO-2038 is attached.							
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5. Change in Entity Status (from status indicated above)							
a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).							
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Authorized Signature Date OCTOBER 12, 20				05			
Typed or printed name JAMES S. HSUE Registration No. 29,545							
This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to proc an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to comp this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 14 Alexandria, Virginia 22313-1450.  Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.							

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07/13/2005

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10/613,634	07/03/2003	Wayne Chen	TNCR.178US1	4612

TITLE OF INVENTION: SYSTEM AND METHODS FOR CLASSIFYING ANOMALIES OF SAMPLE SURFACES

APPLN. TYPE	SMALL ENTITY	ISSUE FEE		PUBLICATION FEE	TOTAL FEE(S) DUE		DATE DUE
nonprovisional	NO	\$1400		\$300		1700	10/13/2005
EXAMINER		ART UNIT		CLASS-SUBCLASS			
STAFIRA, MICHAEL PATRICK		2877		356-392000			
1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).  Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.  "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.			(1) the notice or agents (2) the notice registered	nting on the patent front page, lames of up to 3 registered pate OR, alternatively, ame of a single firm (having as I attorney or agent) and the nated patent attorneys or agents. I name will be printed.	a member a	•	NS HSUE &
	D RESIDENCE DATA TO			T (print or type)  pear on the patent. If an assignment	gnee is identif	ied below, the d	ocument has been filed

(A) NAME OF ASSIGNEE

Typed or printed name\_

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

KLA-TENCOR CORPORATION	SAN JOSE, CALIFORNIA				
Please check the appropriate assignee category or categories (will not be	e printed on the patent):				
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Issue Fee	A check in the amount of the fee(s) is enclosed.				
Nublication Fee (No small entity discount permitted)	Payment by credit card. Form PTO-2038 is attached.				
Advance Order - # of Copies	The Director is hereby authorized by charge the required fec(s), or credit any overpayment Deposit Account Number				
5. Change in Entity Status (from status indicated above)  a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27.	☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).				
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Authorized Signature AMS	Date OCTOBER 12, 2005				
JAMES S. HSUE	Registration No. 29,545				

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